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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **SAN FRANCISCO DIVISION**

13 ADAPTIX, INC.,

14 Plaintiff,

15 v.

16 MOTOROLA MOBILITY LLC and  
CELLCO PARTNERSHIP d/b/a  
17 VERIZON WIRELESS,

18 Defendants.

**Case No. 3:13-cv-1774-MEJ**

**VERIZON'S STATEMENT IN  
SUPPORT OF ADMINISTRATIVE  
MOTION TO CONSIDER CASES  
RELATED**

Judge: Hon. Maria-Elena James

WILMER CUTLER PICKERING HALE AND DORR LLP  
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Pursuant to Civil L.R. 3-12(e), defendant Cellco Partnership d/b/a Verizon Wireless (“Verizon”) submits this statement in support of Motorola Mobility LLC’s (“Motorola”) administrative motion to consider the following six cases related (Dkt. No. 28):

1. *Adaptix v. Motorola Mobility LLC, et al.*, Case No. 3:13-cv-1774 (N.D. Cal.);
2. *Adaptix v. Apple Inc., et al.*, Case No. 3:13-cv-1776 (N.D. Cal.);
3. *Adaptix v. Apple Inc., et al.*, Case No. 3:13-cv-1777 (N.D. Cal.);
4. *Adaptix v. AT&T Mobility LLC, et al.*, Case No. 3:13-cv-1778 (N.D. Cal.);
5. *Adaptix v. HTC Corp., et al.*, Case No. 5:13-cv-1844 (N.D. Cal.); and
6. *Adaptix v. Apple Inc., et al.*, Case No. \_\_:13-cv-\_\_\_\_ (N.D. Cal.)<sup>1</sup> (hereafter, the “Proposed Related Actions”).

Verizon agrees that the Court should consider these cases related under Civil L.R. 3-12 because they concern substantially the same parties, patents, and/or events, and it appears likely that there will be an unduly burdensome duplication of labor and expense and/or conflicting results if the cases are conducted before different judges. Plaintiff does not oppose Motorola’s motion. Dkt. No. 29.

The Proposed Related Actions are currently assigned to four different magistrate judges, each of whom has entered separate ADR Scheduling Orders. *See, e.g.*, Dkt. No. 14, *Adaptix, Inc. v. Motorola Mobility LLC, et al.*, Case No. 3:13-cv-01774 (N.D. Cal.). Adaptix asserts the same two patents in each case and alleges that defendants in each of the actions infringes the patents by making, using, offering for sale, selling, and/or importing mobile communications devices advertised as operating on the 4G LTE wireless network. *See, e.g.*, Dkt. No. 2, *Adaptix, Inc. v. Motorola Mobility LLC, et al.*, Case No. 3:13-cv-01774 (N.D. Ca.). Further, one of two network carriers, AT&T Mobility or Verizon Wireless, is common to each of the Proposed Related Actions (the carriers’ co-defendant in each case is a device manufacturer such as Motorola). Discovery, motion practice, and hearings are likely to concern many of the same issues. As a


<sup>1</sup> The E.D. Tex. Court granted transfer in the most recently filed case, *Adaptix, Inc. v. Apple Inc., et al.*, Case No. 6:13-cv-28 (E.D. Tex.), on April 11, 2013. The E.D. Tex. effectuated interdistrict transfer on April 30, 2013. This Court has not yet docketed the transferred case.

1 result, it appears likely that proceeding with five separate cases before four different judges  
2 would cause an unduly burdensome duplication of labor and expenses and risk conflicting results.

3 **CONCLUSION**

4 Because the Proposed Related Cases meet the requirements of Civil Local Rule 3-12,  
5 Verizon respectfully submits this statement in support of Motorola's administrative motion to  
6 consider the following six cases related (Dkt. No. 28).

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8 Dated: May 7, 2013

  
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